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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,763	03/05/2002	Michael R. Robicheaux	9412-59294	6841

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EXAMINER

CINTINS, IVARS C

ART UNIT	PAPER NUMBER
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1724

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DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/091,763

Applicant(s)

Robicheaux et al.

Examiner

Ivars Cintins

Art Unit

1724



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Sohnius (U.S. Patent No. 3,607,741) or Webb et al. (U.S. Patent No. 5,082,563). Applicant has apparently admitted that it is known to purify wastewater streams flowing from oil and gas wells with a combination of treatments, including flotation, sock filtration, and adsorption (see page 3, lines 9-12, of the specification). The claims differ from this admittedly known system by requiring the use of a cellulose-based adsorbent material. Sohnius and Webb et al. each teach removing organic contaminants (e.g. oil) from an aqueous stream with a cellulose-based adsorbent material (see col. 2, line 13 of Sohnius; and col. 2, line 55 of Webb et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the cellulose-based adsorbent material of either secondary reference for the adsorbent material

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of the admittedly known system, since this cellulose-based adsorbent material is capable of removing oil from water in substantially the same manner as the adsorbent material of the admittedly known system, to produce substantially the same results.

✓ Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Sohnius or Webb et al. as applied above, and further in view of Darlington et al. (U.S. Patent No. 5,922,206). The admittedly known system, as modified above, discloses the claimed invention with the exception of the recited carbon-element filter. Darlington et al. teaches (see col. 8, lines 13-15) purifying "produced water" with a plurality of adsorbent materials, including activated carbon. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the admittedly known system, as modified above, with the activated carbon filter of Darlington et al., in order to further purify the water undergoing treatment in this modified admittedly known system.

⚡ Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Sohnius or Webb et al. as applied above, and further in view of Means et al. (U.S. Patent No. 5,104,545). The admittedly known

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system, as modified above, discloses the claimed invention with the exception of the recited monitoring step. Means et al. teaches purifying "produced water" with an adsorbent (col. 3, line 32), and further teaches (see col. 3, lines 61-63) monitoring the effluent from the adsorbent to determine this effluent's purity. It would have been obvious to one of ordinary skill in the art at the time the invention was made to monitor the treated wastewater stream of the modified admittedly known system, as suggested by Means et al., in order to determine this treated wastewater's purity level.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is (703) 308-3840. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

The fax phone numbers for this art unit are: (703) 872-9311 for "Official" faxes after Final Rejection; (703) 872-9310 for all other "Official" faxes; and (703) 872-9492 for "Draft" and other "Unofficial" faxes.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.



**Ivars C. Cintins**  
**Primary Examiner**  
**Art Unit 1724**

I. Cintins  
May 5, 2003